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IN THE

Supreme Court of the United States

OCTOBER TERM, 1964

HENRY BROWN, WILLIE KELLY, L. C. BIBBINS, ROBERT SMITH and CLEVELAND McKINZIE

Petitioners,

vs.

STATE OF LOUISIANA,

Respondent.

PETITION FOR WRIT OF CERTIORARI TO THE SUPREME COURT OF LOUISIANA

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IN THE

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No. .....

HENRY BROWN, WILLIE KELLY, L. C. BIBBINS, ROBERT SMITH and CLEVELAND MCKINZIE,

Petitioners,

VS.

STATE OF LOUISIANA,

Respondent.

PETITION FOR WRIT OF CERTIORARI TO THE SUPREME COURT OF LOUISIANA

Petitioners pray that a writ of certiorari issue to review the decree of the Supreme Court of Louisiana entered in the above-mentioned case on October 26, 1964 which denied petitioners' Application for Writs of Mandamus, Certiorari and Prohibition, thus affirming the conviction rendered by the Twentieth Judicial District Court of East Feliciana Parish, Louisiana (herein called the District Court), on April 9, 1964. A stay of execution of petitioners' sentences for a period of thirty days was granted by the Supreme Court of Louisiana on November 4, 1964, and was subsequently extended for an additional period of thirty days expiring on January 4, 1965.

Opinions Below

The District Court found petitioners guilty, without written opinion. The memorandum opinion of the Supreme Court of Louisiana is unreported and appears in Appendix A hereto, *infra*, p. 1a.

Jurisdiction

The convictions were rendered by the District Court on April 9, 1964. Petitioners' Motion for a New Trial was denied on October 7, 1964. Petitioners' application to the Supreme Court of the State of Louisiana for Writs of Mandamus, Certiorari and Prohibition was denied by decree of that court made and entered on October 26, 1964.

The jurisdiction of this Court in this case is invoked pursuant to Title 28, United States Code, Section 1257 (3).

Questions Presented

Petitioners, all residents of East and West Feliciana Parishes, Louisiana, were arrested and convicted on charges of disturbing the peace under a Louisiana statute R. S. 14:103.1 for their failure to vacate a public area of the Audubon Library Building, a library operated by the three parishes of East Feliciana, West Feliciana and St. Helena, jointly, in the Town of Clinton, Louisiana, after being requested to leave by the librarian and by the sheriff. The evidence showed that petitioners had entered the library to use the facilities available to the public. No evidence that petitioners were loud or boisterous or that any breach of the peace occurred was offered. Evidence was presented, however, showing that petitioners, all Negroes, were asked

to leave, although not disorderly, because it was the policy of the library not to serve Negroes at that building.

Did the arrest and conviction of the petitioners deprive them of rights protected by

(1) The Due Process clause of the Fourteenth Amendment to the Constitution of the United States in that they were convicted without any evidence of the essential elements of the crime;

(2) The Due Process clause of the Fourteenth Amendment in that they were convicted under a statute which, as interpreted, was so vague and indefinite as to afford no ascertainable standard of criminality;

(3) The Due Process and Equal Protection clauses of the Fourteenth Amendment in that their arrests and convictions constituted enforcement of racial segregation;

(4) The First Amendment, as made applicable to the states through the Fourteenth Amendment, in that petitioners' freedom of expression has been abridged;

(5) Title III of the Civil Rights Act of 1964 in that such arrests and convictions constitute an attempt to punish petitioners for exercising their right to be free of discrimination?

Constitutional and Statutory Provisions Involved

This case involves the First and Fourteenth Amendments to the United States Constitution and the Civil Rights Act of 1964, Public Law 88-352, 88th Cong., H. R. 7152, July 2, 1964; 78 Stat. 241, et seq.

The petitioners were convicted under §14:103.1 of the Louisiana Revised Statutes of 1950, which is set forth in full at Appendix B, *infra*, p. 1b.

Statement

On March 7, 1964, about 11:30 A. M., petitioners, all Negroes, entered the public reading room of the Audubon Library building in the Town of Clinton, Louisiana, a public library operated by three Parishes jointly (T. 70, 79) and supported by other agencies of the State of Louisiana (T. 87). Petitioner Henry Brown requested a book from the assistant (T. 59-60).*

Never before had Negroes been seen in this office of the Library (T. 94). In fact, Negroes were only served by the Blue Bookmobile (T. 119-121) and in addition to the use of the Audubon Library, whites were directed to the other locations if one should make any inquiries at this Blue Bookmobile.

After a second request to petitioners to leave, the assistant librarian called in the Regional Librarian; again petitioners were asked to leave. Remaining quietly in the reading room (T. 60-61), making no noise nor boisterous talk (T. 62, 73-74), no evidence was offered against petitioners that any person visiting the library was disturbed.

Approximately 10 to 15 minutes after petitioners entered the reading room (T. 76, 94) the Sheriff arrived at the library (on his own initiative, having seen the Negroes enter (T. 93)) and demanded that the petitioners leave

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* References to the Record are designated by the symbol "R". Although a transcript of the trial was made by an official court stenographer, in accordance with Louisiana practice it was not part of the Record before the Louisiana Supreme Court. To supplement the Record the transcript is submitted with this petition and references to it are designated by the symbol "T".

(T. 89). Indicating they would not leave, petitioners were thereupon arrested (T. 90). So far as anyone could see or hear, they were peaceful, yet at no time did the Sheriff inquire as to why the librarian asked petitioners to leave. Because they refused to leave when requested, they were arrested, and subsequently convicted (T. 94-95).

A Bill of Information was filed by the District Attorney on March 11, 1964, and petitioners appeared for trial on March 24, 1964. The trial was completed on April 9, 1964.

At the outset of the trial petitioners moved to quash the Bill of Information on the grounds (a) that the Bill did not inform petitioners of the crimes of which they were accused, (b) that the statute referred to therein was unconstitutional for vagueness, (c) that the statute and Bill fail to allege criminal or specific intent, (d) that the Bill and prosecution violate the First and Fourteenth Amendments to the Constitution of the United States by depriving petitioners of freedom of assembly and equal protection of the laws, and (e) that the statute and Bill represent an unlawful delegation of legislative powers.

Petitioners' Motion to Quash was denied, as was petitioners' demand for certain particulars regarding the elements of the offense charged by the State (T. 14).

At the trial the Sheriff stated that he arrested petitioners because they had been asked to leave by the occupants of the building, and because the building was a public building and he, as sheriff, had asked them to leave (T. 94-95, 97). Making no noise, the "disturbance of peace" by petitioners in the case consisted solely of their refusal to leave when so requested by him (T. 96).

Petitioners were seeking by their acts, the Sheriff testified, to effect a change of the policy of segregation in the Audubon Regional Library (T. 90-93). Prior to arresting petitioners, however, the Sheriff did not directly ascertain whether petitioners intended to use the facilities at the library building (T. 98).

Testifying that she was "disturbed" by the presence of petitioners (T. 101), the Regional Librarian offered no evidence, however, that her concern was communicated to anyone present at the time, or that anyone objected to any activity of petitioners other than their presence in the reading room, or what it was that petitioners did to cause her to be concerned.

The Audubon Regional Library provided library services to the public in three Louisiana parishes by means of three branch library buildings and two "Bookmobiles" supplied by the Louisiana State Library designated as the "Blue Bookmobile" and the "Red Bookmobile" (T. 70, 87-88). Negroes were registered with the library only at the Blue Bookmobile (T. 106) and were not afforded service at the other facilities (T. 63, 79, 111, 120-123).

The District Court found all petitioners guilty as charged (T. 126). On July 14, 1964 petitioners timely moved for a new trial on the ground that no evidence existed in the record to support the judgment. This motion was denied on the same day and the petitioners were thereupon sentenced as follows:

> Petitioner Brown; $150 and costs, and in default of payment of the fine, 90 days in the parish jail.

Petitioners Kelly, Bibbins, Smith and McKinzie; $35 and costs, and in default of payment of the fine, 15 days in the parish jail. (R. 29)

On July 28, 1964 nine separate Bills of Exceptions were filed relating to rulings of the District Court, including the denials of the demands for particulars, the Motion to Quash and the Motions for a New Trial (R. 12-26, 30-31). Per curiam opinions with regard to the nine Bills of Exceptions were rendered by the District Court on October 7, 1964 (R. 32-37).

Pursuant to a Notice of Application for Supervisory Writs filed on July 28, 1964, petitioners sought review under Louisiana Procedure of the judgment or conviction and sentence by the Supreme Court of Louisiana (R. 2-38). Under Louisiana law no direct appeal procedure was available, since the fines imposed were less than $300 and the jail terms less than six months. Writs of mandamus, certiorari and prohibition were sought under the general supervisory jurisdiction of the Supreme Court of Louisiana (Louisiana Constitution, Article VII, Section 10) and in accordance with Rule 12 of the Louisiana Supreme Court Rules.

On October 26, 1964, the Supreme Court of Louisiana unanimously denied petitioners' applications for writs of mandamus, certiorari and prohibition, holding that there was no error in any of the rulings and judgment of the District Court (R. 1). On October 28, 1964 bench warrants were issued by the District Court to effect execution of the sentences imposed upon petitioners. The District Court then adjourned until November 2, 1964.

On October 28, 1964 petitioners filed a petition with the Supreme Court of Louisiana for stay of execution of sentences, requesting 90 days to enable petitioners to file a Petition for Writ of Certiorari with this Court (R. 39-41). Initially petitioners were refused the stay, being advised that such stays would thereafter be issued only by the District Court. Petitioners Smith and McKinzie were arrested pursuant to the District Court's bench warrants on October 30, 1964 (R. 46).

On November 2, 1964 petitioners applied to the District Court for a stay of execution pending preparation of their petition to this Court for a Writ of Certiorari. The application for a stay was denied that same day (R. 51). On November 4, 1964 (following the Election Day holiday when the courts were closed) petitioners again applied to the Supreme Court of Louisiana for a stay, or alternatively for writs of habeas corpus and mandamus (R. 42-50). At that point the petitioners' first petition, which had been filed on October 28, 1964, was granted, but the stay of execution of the sentences was limited to a period of thirty days from November 4th (R. 41-a). The stay was subsequently extended for an additional thirty days, expiring on January 4, 1965 (R. 41-a).

How Federal Questions Were Raised

The Federal questions presented here were raised in the District Court by written Motion to Quash (R. 15-16) and written Motion for a New Trial (R. 26) and by written Bills of Exceptions to the denial of such motions, and in the Supreme Court of Louisiana by application for Writs of Mandamus, Certiorari and Prohibition (R. 4-7).

Petitioners accordingly raised their Federal claims at the earliest opportunity and renewed them at each stage of the proceedings below.

Reasons for Granting the Writ

The convictions below conflict with applicable decisions of this Court on important constitutional issues. If the conviction be upheld on the facts in this record, statutes such as we have before us can effectively be utilized to circumvent and nullify constitutional rights reaffirmed by the Civil Rights Act of 1964.

ARGUMENT

POINT I

The convictions below violate Constitutional guarantees of due process of law.

A. The Convictions Below Were Totally Unsupported by the Evidence

The material facts of this case virtually duplicate those in *Taylor* v. *Louisiana*, 370 US 154, 82 S. Ct. 1188 (1962), in which this Court held that a conviction of disturbing the peace could not be upheld under L. S. A. R. S. Sec. 14:103.1 (the same statute under which this conviction was rendered) if the only evidence was that petitioners "were violating a custom that segregated people in waiting rooms." In effect such evidence without more constitutes no evidence of disturbance of the peace, and the conviction falls under the rule of *Thompson* v. *Louisville*, 362 US 199. See also

Wright v. *Georgia*, 373 US 284. As much as the waiting room of an interstate bus station, the reading room of a public library is clearly an area in which segregation can not be enforced. See *Mayor and City Council of Baltimore City* v. *Dawson*, 350 US 877; *Holmes* v. *Atlanta*, 350 US 879; *Gayle* v. *Browder*, 352 US 903; *New Orleans City Park Improvement Asso.* v. *Detiege*, 358 US 54.

The sole ground for the District Court's decision was that petitioners, who were Negroes, chose to remain quietly in the public area of the library after being asked to leave (T. 125). The record is bare of proof of any activity which supports a finding that there was any other element of the crime charged, and the District Court makes no such finding. Yet even R. S. 14:103.1 requires proof of an intent to provoke a breach of the peace or acts "under circumstances such that a breach of the peace may be occasioned." The mere assertion that the Regional Librarian felt "disturbed" by the presence of Negroes in the branch library thereto reserved for white persons can not support such a finding. *Wright* v. *Georgia*, 373 US 284, 292-293.

B. The Elements Necessary to Establish a Breach of the Peace Under Louisiana Law Were Carefully Analyzed by This Court in *Garner* v. *Louisiana*, 368 US 157, 82 S. Ct. 248

In *Garner* this Court found "the records barren of any evidence that would support a finding that petitioners' conduct would even 'foreseeably' have disturbed the public." 368 US 157, 166. No issue as to the right of petitioners to seek advice in the public library can exist. Accordingly the issue raises no questions of trespass and is that much

sharper as to the illegality of the arrest and the subsequent conviction.

At the time of the arrests, there were in the library only the five petitioners, two members of the library staff, the Sheriff and two or more deputies (T. 89). No evidence tending to show likelihood of any disturbance of any kind (T. 102-103) was offered. No one exhibited any concern or agitation. There was no noise—the only conversation appeared to be that resulting from the statements of the librarians and the Sheriff and the answers of one petitioner to their questions (T. 62, 96-97). Not even the barest indications of an imminent breach of the peace were present. *Cantwell* v. *Connecticut,* 310 US 296. The Sheriff testified flatly that the sole element constituting grounds for the arrest of the petitioners was their refusal to leave when ordered to do so by him (T. 95). No ascertainable reason for demanding that petitioners leave the library exists (other than their color), and no reason in law or facts exists for their subsequent arrest.

C. The Louisiana Statute as Applied to These Petitioners Was Vague, Uncertain and Indefinite

Were this Court to assume, *arguendo,* that Sec. 14:103.1, in requiring only that an accused's conduct take place "under circumstances such that a breach may be occasioned thereby," removes the necessity of determining that such conduct could "foreseeably disturb or alarm the public," it might be argued that even though the facts here do not meet the standards enunciated in *Garner* v. *Louisiana,* the new statute's less rigorous standards have been met. To accept this argument would in effect admit that the new

statute fails to specify any ascertainable standard of criminality. Read in this manner, Sec. 14:103.1 would place upon the ordinary citizen the burden of guessing whether a breach of peace might be occasioned by any given set of circumstances, regardless of whether such result is reasonably foreseeable at the time. Some spectators to one's presence, timid souls, might be easily alarmed; others, heartier by nature, might not become apprehensive so quickly at the sight of a Negro in a "white only" library. To require one to speculate as to consequences of one's presence is to place one at the mercy of irrationality and deprive one of life, liberty and property without due process of law and to place speech and its free exercise, in the tender hands of the know—nothing. See *Lanzetta* v. *New Jersey*, 306 US 451, 453; *United States* v. *L. Cohen Grocery*, 225 US 81, 89; *Connally* v. *General Construction Co.*, 269 US 385, 591.

By enacting Sec. 14:103.1 the State of Louisiana has attempted to abandon the fixing of any standard of criminality. Where a statute so vaguely worded is used to punish conduct—such as the use by persons of public facilities to which they have a constitutionally protected right—the statute must be held unconstitutionally vague, uncertain and indefinite. *Wright* v. *Georgia*, 373 US 284, 293; *Winters* v. *New York*, 333 US 507.

POINT II

The convictions below constitute *de facto* enforcement of racial segregation in violation of Constitutional guarantees of equal protection of the laws and statutory guarantees of freedom from punishment for exercising rights to non-segregated use of facilities.

The evidence below clearly delineates the pattern of segregation which characterized the operations of the Audubon Regional Library (T. 63, 94, 110-111, 121), elaborate rules regarding the correct "point of service" for users of the library effectively segregated Negroes to the "Blue Bookmobile" (T. 77, 83, 86, 88) were in effect. Only persons registered at a specified "point of service" were afforded access to browsing and reference shelves and other reading room facilities at such "point of service" (T. 82-83, 104-106). Registration cards issued at the Blue Bookmobile were stamped with the word "Negro" and white persons were not registered there (T. 120-121).

Against this pattern of segregation of facilities the arrest and conviction of the petitioners takes on added significance.* The Constitution of the United States forbids enforcement of segregation of public facilities. *Brown* v. *Board of Education*, 347 US 483, 495. To continue the effects of segregation through the use, by public officials, of vaguely worded statutes can only undermine the substance of the holdings of this Court supportive of constitutional guarantees to equal protection of the laws.

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* Interestingly, the Trial Court claimed this trial was a simple "breach of peace" case (T. 83) with no segregation overtones; this after the District Attorney spent the first 58 pages attempting to show CORE's involvement.

Before us we have a record making clear that the conviction of petitioners had as its primary purpose the deterrence of Negroes from using the "white" library facilities theretofore denied to them. Such a purpose, without citation, is clearly in conflict with the Constitution. Absent a showing of independent criminal activity, the convictions constitute an unconstitutional attempt to enforce segregation by the State of Louisiana and accordingly should not be allowed to stand. See *Garner* v. *Louisiana*, 368 US 157, 181.

POINT III

Petitioners having presented themselves peacefully, the convictions below constitute a denial of petitioners' rights of freedom of expression and assembly and constitute a denial of the right to redress a public grievance.

The evidence below shows that petitioners were not only engaged in an attempt to seek to use the public facilities of the Audubon Regional Library, but that they were also engaged quietly in demonstrating against and protesting the illegal segregation policies and practices of that library and thereby to seek the correction thereof (T. 43-48, 53-55, 90-91, 108). Indeed, the State's case appeared to be predicated on the theory that this activity alone constituted a material element of the criminal activity charged (T. 28-31). A conviction based on such grounds would clearly be in conflict with the Due Process Clause of the Fourteenth Amendment as it guarantees the First Amendment protection of freedom of expression and assembly. *Edwards* v. *South Carolina*, 372 US 229; *Garner* v. *Louisiana*, 368 US 157, 201-204 (concurring opinion); *NAACP* v. *Alabama*, 357 US 449, 461.

POINT IV

Had these acts occurred on or after July 2, 1964, arrests therefore would have been improper under Title III of the 1964 Civil Rights Act; accordingly the convictions should be abated.

In seeking to use the public reading room and other facilities of the Audubon Regional Library on a non-discriminatory and non-segregated basis, petitioners were engaging in an activity which would be protected under the Civil Rights Act of 1964 had it been in effect. Accordingly, at this time, the convictions are in conflict with the provisions of that Act (Title III) and the prosecutions should be abated, the judgment vacated and the charges dismissed. *Hamm* v. *Rock Hill*, — US — (No. 2 October Term 1964), *Bell* v. *Maryland*, 378 US 226, 84 S. Ct. 1815.

The acts complained of were certainly not evil in themselves, but at worst *arguendo*, merely wrongful because of the official maintenance of segregation and upholding of such practice by the usage of the White community. Since national policy on the use of public facilities is made clear beyond a peradventure by Title III, and since this application to this Court is part of the procedure on appeal of this case, the judgments of conviction are not yet final and accordingly such judgments should be abated and the bills of information dismissed. That the convictions were procured under state statutes by state courts is of little interest since we are here concerned with national policy protecting the peaceful use (as is the fact here) of public facilities.

CONCLUSION

The conviction of petitioners below is unsupported by any evidence and was made pursuant to a statute unconstitutionally vague and uncertain. The conviction represents an attempt to use State power to enforce illegal racial segregation and denies petitioners their rights to the freedoms of expression and assembly. For all of these reasons the conviction and the decree of the Supreme Court of Louisiana upholding the conviction constitute state court decisions of substantial federal questions which are not in accord with applicable decisions of this Court.

It is respectfully submitted that the petition should be granted.

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Certificate

I, the undersigned, hereby certify that I have this day mailed, postage prepaid, copies of the foregoing petition to Honorable Jack Gremilion and the Honorable Richard Kilbourne, attorneys for Respondent, at their usual business addresses.

Dated at New York, New York, this 31st day of December, 1964.

CARL RACHLIN

APPENDIX A

SUPREME COURT OF LOUISIANA

New Orleans, 70112

No. 47,496 October 26, 1964

State of Louisiana

v.

Henry Brown et al

In re: Henry Brown et al applying for writs of mandamus, certiorari and prohibition

---

The application is denied. We find no error in any of the rulings and judgment complained of.

/s/ JBF

/s/ JBH

/s/ FWH

/s/ EHMcC

/s/ WBH

/s/ JWS

/s/ FWS

A TRUE COPY

Clerk's Office
Supreme Court of Louisiana
New Orleans
October 26, 1964

.....
Deputy Clerk

APPENDIX B

Louisiana Revised Statutes of 1950

Title 14 Criminal Law

Chapter I Criminal Code

• • •

Part VI Offenses Affecting the Public Generally

• • •

Sub. Part C Offenders affecting the General Peace and Order

• • •

Section 103 Disturbing the Peace

• • •

103.1 Disturbing the Peace

A. Whoever with intent to provoke a breach of the peace, or under circumstances such that a breach of the peace may be occasioned thereby:

(1) crowds or congregates with others, providing however nothing herein contained shall apply to a bona fide legitimate labor organization or to any of its legal activities such as picketing, lawful assembly or concerted activity in the interest of its members for the purpose of accomplishing or securing more favorable wage standards, hours of employment and working conditions, in or upon a shore protection structure or structures, or a public street or public highway, or upon a public sidewalk, or any other public place or building, or in any hotel, motel, store, restaurant, lunch counter, cafeteria, sandwich shop, motion picture theatre, drive-in, beauty parlor, swimming pool area, or any sports or recreational area or place, or any other place of business engaged in selling or serving members of the public, or in or

around any free entrance to any such place of business or public building, or to any building owned by another individual, or a corporation, or a partnership or an association, and who fails or refuses to disperse and move on, or disperse or move on, when ordered so to do by any law enforcement officer of any municipality, or parish, in which such act or acts are committed, or by any law enforcement officer of the state of Louisiana, or any other authorized person, or

(2) insults or makes rude or obscene remarks or gestures, or uses profane language, or physical acts, or indecent proposals to or toward another or others, or disturbs or obstructs or interferes with another or others, or

(3) while in or on any public bus, taxicab, boat, ferry or other water craft or other vehicle engaged in transporting members of the public for a fare or charge, causes a disturbance or does or says, respectively, any of the matters or things mentioned in sub-section (2) supra, to, toward, or in the presence of any other passenger on said vehicle, or any person outside of said vehicle or in the process of boarding or departing from said vehicle, or any employee engaged in and about the operation of such vehicle, or

(4) refuses to leave the premises of another when requested so to do by any owner, lessee, or any employee thereof, shall be guilty of disturbing the peace.

B. Whoever commits the crime of disturbing the peace as defined herein shall be punished by a fine of not more than two hundred dollars, or imprisonment in the parish jail for not more than four months, or by both such fine and imprisonment. Added Acts 1960, No. 69, § 1.

APPENDIX C

Transcript of Oral Opinion and Judgment of the District Court

BY THE COURT: This is a case, the State of Louisiana vs Henry Brown, Willie Kelly, L. C. Bibbins, Robert Smith, and Cleveland McKinzie, in which they are charged with violation of R S 14:103.1 relative to Disturbing the Peace and with the intent of provoking a Breach of the Peace, and under the circumstances such that a Breach of the Peace might be occasioned thereby, they congregated together in the Audubon Library building in the Town of Clinton, Louisiana, and did then and there fail and refuse to leave such premises when ordered to do so by Mrs. Marshall Perkins who was then and there in lawful charge of said premises; and that further, the accused failed to leave said premises when ordered to do so by Arch V. Doughty, the Sheriff of the Parish of East Feliciana.

There has been great effort to make these facts of this case much more difficult than it is, I guess better in keeping with the trends of these times.

The evidence clearly shows that these 5 men went into the Library, that they asked for a book and were served, at least their order was taken. Of course, the Library at that time, being occupied only by two female library-workers, they then asked the parties to leave. This was done twice, and finally the Sheriff again asked them to leave.

Considering these facts and the further Law on the case which has been prescribed by the Legislature of this State, that is: A misdemeanor termed by anyone doing the following acts in a manner disturbing the public. Paragraph one includes the refusal to leave the premises when requested or directed to do so by the owner, lessee, or any employee.

Appendix C

Clearly the evidence shows that these parties did not congregate when they came to the Town of Clinton to the Audubon Parish Library, merely for the purpose of seeking service; that they had a specific motive and a specific intent, and that was, as was shown beyond any reasonable doubt, to refuse to leave the Library even after they had been served, and after they had been requested three times.

If the Court were to say that people who had been entrusted with the control of the property of this State, this Parish which belongs to all of us, were to be able to be flagrantly repudiated with a new system of contempt, and ridicule, certainly we would no longer exist then as a society of men and Law.

The Court will find the 5 defendants guilty as charged. The Law, counsel, allows 24 hours delay before sentencing unless you desire to waive same.